

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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LEZLIE J. GUNN,

Case No. 2:19-CV-2102 JCM (EJY)

**Plaintiff(s),**

## ORDER

V.

CHRISTINE E. DRAGE,

Defendant(s).

Presently before the court is the matter of *Gunn v. Drage*, case number 2:19-cv-2102-JCM-EJY.

On March 3, 2021, this court, awarded defendant Christine Drage attorney fees in connection with her anti-SLAPP motion and post-judgment briefing. (ECF No. 109). A judgment on attorney fees was entered on March 17, 2021. (ECF No. 115). Plaintiff timely appealed the order and judgment on attorney fees (ECF Nos. 110; 116), in addition to also having appealed both the anti-SLAPP dismissal on the merits and the denial of a motion for a new trial. (ECF Nos. 74; 104)

On appeal, the panel issued both an opinion and a memorandum. The opinion affirmed this court’s decisions on the merits of the action (ECF No. 124), and the memorandum affirmed in part and reversed and remanded in part the decision on attorney fees (ECF No. 123). Specifically, the Ninth Circuit held that the hourly rate the court applied was reasonable but remanded for re-calculation of fees on several other grounds. (*Id.*) The Ninth Circuit’s mandate issued on June 12, 2023. (ECF No. 127).

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1 | Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the court's order on  
3 defendant's motion for attorney fees (ECF No. 109), be, and the same hereby is, VACATED.

4 IT IS FURTHER ORDERED that this court's amended judgment on those fees (ECF No.  
5 115) be, and the same hereby is, VACATED as to its calculation of fees.

6 IT IS FURTHER ORDERED that the parties shall submit a JOINT STATUS REPORT  
7 within 14 days of this order informing the court of the of a proposed briefing schedule for a  
8 renewed motion for attorney fees in light of the Ninth Circuit's remand.

9 DATED July 17, 2023.

James C. Mahan  
UNITED STATES DISTRICT JUDGE